

Richard S. Ralston Bar #8546
Weinstein & Riley, P.S.
2001 Western Avenue, Suite 400
Seattle, WA 98121
Phone: 206-269-3490

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

In re:
Hank Joseph Rapoza,
Debtor

BK No. 09-13435

Discover Bank, Issuer of the Discover Card,
Plaintiff,
v.
Hank Joseph Rapoza,
Defendant.

ADV. NO. 09-01307-TTG

**ORDER AND JUDGMENT OF
NONDISCHARGEABILITY**

Based upon the Stipulation of the Parties, IT IS HEREBY ORDERED, ADJUDGED AND

DECREE:

1. The sum of **\$3,000.00** owed by Defendant to Plaintiff is found to be nondischargeable and Plaintiff is granted judgment against Defendant in this amount.
 2. The non-discharged sum of **\$3,000.00** shall be paid as follows: **the sum of \$50.00 per month, each month for 60 months, commencing 06/01/2010**. The remaining payments shall be due on the same day of each month thereafter. While not in default, such principal shall not bear interest.
 3. Payments are to be made to:

**Accounts Receivable
Attn: Discover Bank, Issuer of the Discover Card
WEINSTEIN & RILEY, P.S.
P.O. Box 3978**



Seattle, WA 98124
INCLUDE ACCOUNT NUMBER ON PAYMENTS

Plaintiff or its agents may send monthly bills and invoices as a courtesy reminder to
Defendant.

4. In the event Defendant defaults in payments, Plaintiff shall be entitled to declare the sum of \$3,000.00, plus any interest, immediately due and payable, together with Plaintiff's reasonable attorneys' fees and costs incurred.
 5. Defendant acknowledges and stipulates that if Defendant fails to make any payment as agreed, the remaining \$3,000.00, less any payments made, shall bear interest at twelve percent (12%) per annum until paid or otherwise satisfied. However, no interest will accrue so long as payments are kept current.
 6. Plaintiff will refrain from pursuing its rights under this agreement so long as Defendant continues to make payment on a regular, timely basis. If Defendant defaults, however, Plaintiff shall have the right to pursue any legally available remedy without further notice.
 7. The parties shall pay their own attorney fees and costs in this matter.

Dated: _____, March

Thos T. Dan

Thomas T. Glover
United States Bankruptcy Judge
(Dated as of "Entered on Docket" date above)



1 Submitted by:

2 
3 Richard S. Ralston, Bar #8546
4 Attorney for Plaintiff

5 3/29/10
6 Date

7 
8 Stephen J. Garvey, Bar # ~~WSBA~~ 13486
9 Attorney for Defendant

10 3/29/2010
11 Date

12 cc: Richard S. Ralston
13 Stephen J Garvey

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15 41144874

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2 **CLERK'S CERTIFICATE OF MAILING**
3
4

5 I certify that I sent a copy of the attached Judgment of Nondischargeability to the following parties via
6 first-class mail, postage prepaid:
7
8

9 Richard S. Ralston
10 Weinstein & Riley, P.S.
11 2001 Western Avenue, Suite 400
12 Seattle, WA 98121

13 Stephen J Garvey
14 Attorney At Law
15 7100 Evergreen Way, Ste E
16 Everett, WA 98203

17 Dated: _____, March _____, 2010
18 _____
19

20 Deputy Clerk
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22
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